

# EXHIBIT C



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Admitted in New York  
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September 19, 2024

**VIA E-Mail**

Hon. Freda L. Wolfson, U.S.D.J. (ret.)  
Lowenstein Sandler LLP  
One Lowenstein Drive  
Roseland, New Jersey 07068

**Re: *Johnson & Johnson Health Care Systems, Inc. v. Save On SP, LLC*  
No. 2:22-cv-02632 (JKS) (CLW)**

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Dear Judge Wolfson:

On behalf of Save On SP, LLC (“SaveOn”), we write in response to Johnson & Johnson Health Care Systems, Inc.’s (“JJHCS,” and, with its affiliates, “J&J”) September 10, 2024 opposition to SaveOn’s August 23, 2024 motion to compel J&J to search for and produce documents regarding the meaning of the May-Not-Use Provision.<sup>1</sup>

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<sup>1</sup> SaveOn uses the term May-Not-Use Provision, consistent with Your Honor’s April 25, 2024 Order, to mean the term and condition that CarePath “may not be used with any other coupon, discount, prescription savings card, free trial, or other offer.” Dkt. 264 at 2-3.

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J&J does not meaningfully dispute the relevance of the requested documents, nor could it. Your Honor found that “the disputed meaning of [the May-Not-Use Provision] is at the heart of Plaintiff’s claim that Defendant induced plan members to violate them.” *See* Dkt. 192 at 27; *see also* Dkt. 68 at 16 (contemplating discovery regarding the meaning of the term “other offer”). To date, J&J has produced nothing showing that, before 2022, it believed that SaveOn’s services violated the May-Not-Use Provision, undercutting the premise of its tortious interference claim. *See, e.g.*, Ex. 3 at -642 (JJHCS\_00145633).

J&J also does not argue that reviewing the 430 additional documents at issue (SaveOn’s proposed term returns 606 documents; J&J’s returns 176) would be burdensome. Opp. at 9. While J&J says that SaveOn’s term might add some unquantified number of additional documents if Your Honor compels it to add additional custodians, *id.*, those assertions are premature and speculative. J&J can raise burden arguments, if it wishes, in future motion practice on proposed custodians, based on hit counts of actual documents.<sup>2</sup>

J&J talks about the documents that it has “agreed to produce” relating to the T&Cs and to SaveOn, Opp. at 2-3, but it has yet to produce a single document supporting its pre-2022 interpretation of the May-Not-Use Provision. J&J says that it has produced documents showing its understanding that the provision bars SaveOn’s services, Opp. at 5, but it cites only two documents, J&J’s Exhibits 3 and 4, that show no such thing. Neither mentions SaveOn—they could not, as they are from 2013 and SaveOn would not exist until years later—nor mentions accumulators or maximizers. They also do not mention the May-Not-Use Provision. J&J Exs. 3 & 4. J&J cites

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<sup>2</sup> J&J complains that discovery on this point has cost it millions of dollars, Opp. at 2, but it chose to assert claims that put the meaning of the May-Not-Use Provision at issue without producing any pre-2022 documents regarding the meaning of that term. If J&J knows that it has no evidence on this point, it could avoid additional costs for both parties by stipulating to that fact.

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portions of the documents [REDACTED]

[REDACTED] t.<sup>3</sup> The fact remains that, more than two years of litigation, far from “fully explor[ing]” this topic, J&J has produced *nothing* showing its pre-2022 interpretation while still refusing to stipulate that it has no such evidence, Opp. at 6-7.<sup>4</sup>

SaveOn’s proposed search term is carefully designed to pick up documents and communications reflecting any understanding by J&J employees that the May-Not-Use Provision bars SaveOn’s, accumulators’, or maximizers’ services.<sup>5</sup> Each document must both reference the discrete portions of the May-Not-Use Provision *and* reference accumulators or maximizers *and* opine on whether the provision allows or bars those services. The existing search term that J&J argues

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<sup>3</sup> Even if the May-Not-Use Provision said that all CarePath payments must go to patients (it does not), Your Honor confirmed at a recent oral argument that all of those payments do go to patients (via a pharmacy), and none go to SaveOn. May 23, 2024 Hr’g Tr. at 71:8-10 (“THE SPECIAL MASTER: But none of that CarePath money, as I understand it, is going to anyone but the patient.”), *id.* at 72:3-4 (“THE SPECIAL MASTER: “[I]t’s not that the CarePath, the CarePath money is being paid directly to SaveOn or someone else...”); *see generally id.* at 67:23-72:9.

<sup>4</sup> J&J also exaggerates how many documents it has reviewed on this subject. While it presents a chart suggesting that it reviewed a total of 163,398 documents about its T&Cs, Opp. 3-5, J&J does not appear to have de-duplicated the hit counts to account for documents picked up by multiple terms, which would inflate the total number. *See Opp.* at 1 (stating that J&J has reviewed “nearly 130,000 documents hitting on other search terms specifically relating to CarePath’s T&Cs dating back to 2009”). Second, even were these counts of unique documents, the focus here is on J&J’s interpretation of the May-Not-Use Provision starting when it first became aware of SaveOn, which currently appears to be 2016, yet J&J includes 39,787 documents from before 2016. Third, while this dispute is targeted on the May-Not-Use Provision, J&J includes eight terms focused on the Stelara and Tremfya New T&Cs that pick up a combined 82,067 documents. Removing the pre-2016 and Stelara and Tremfya-focused documents leaves four potentially relevant searches that pick up 41,544 apparently unde-duplicated documents.

<sup>5</sup> ((violat\* OR bar\* OR prohibit\* OR breach\* OR preclude\* OR allow\* OR permit\*) w/50 (accumulat\* OR maximiz\*)) w/50 (“other offer\*” OR coupon\* OR discount\* OR “savings card\*” OR “free trial\*”)

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renders SaveOn’s proposal duplicative, Opp. at 6,<sup>6</sup> excludes most parts of the May-Not-Use Provision (containing only “other offer”) and lacks a term seeking documents about prohibiting or permitting SaveOn’s services.

J&J objects to SaveOn’s search term being run for the full discovery time period, Opp. at 7, yet proposes that SaveOn run J&J’s proposed term during that same period, *id.* Limiting the search to documents created before 2022—which J&J never raised in the parties’ extensive discussions—would inappropriately exclude documents from after that time that retroactively refer to J&J’s understanding of the term during the previous period.

J&J also objects to the term’s “w/50” connector, which it says that Your Honor barred for all search terms in the May 9, 2024 Order. SaveOn understood Your Honor to rule on only the term at issue in that Order, not to issue a blanket ruling against “w/50” connectors. *See* Dkt. 283 at 3 (“I have some concerns on the tightness or closeness of the word ‘adapt’ to other relevant terms. In my view, at this time, w/50 may be overly broad.”).<sup>7</sup> SaveOn’s proposed search term here requires *two* “w/50” connectors to link up three concepts: (1) accumulators or maximizers; (2) violating or not; (3) the terms of the May-Not-Use Provision. While the “violation” terms are common, they are thus constrained by the requirement of the industry-specific “accumulator”

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<sup>6</sup> (Janssen OR Jannsen OR Jansen OR CarePath OR “Care Path” OR CP OR JCP OR “Savings Program”) AND ((term\* w/3 condition) OR T&C OR TNC OR “other offer”) AND (maximiz\* OR accumulat\*)

<sup>7</sup> J&J concedes that it has continued to request w/50 proximity limiters following the May 9, 2024 Order. Opp. at 8 n.3. J&J explains that those were warranted because the search terms were tailored to key custodians and SaveOn’s proposal for tighter proximity limiters resulted in only a handful of documents to review. *Id.* J&J’s proposed term only returned 176 documents for J&J’s review, Ex. 7 at 2 (Aug. 7, 2024 Ltr.), and given the critical importance of the subject matter, by J&J’s own logic, even if such a rule existed, a w/50 limiter would be warranted.

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terms and the contract-specific “other offer” terms, greatly reducing the risk of false hits. This is further confirmed by the fact that it returns only 606 additional documents for J&J to review.

J&J’s attempt to restrict SaveOn’s requests through a blanket rule against tighter connectors is especially inappropriate given the history of discovery. After SaveOn proposed running 36 broad search terms over its documents, Ex. 10 at 3-5 (Feb. 6, 2023 Ltr.), SaveOn agreed or was compelled to run 66 additional terms proposed by J&J—59 of which use broad “AND” connectors or are standalone words without any limiter, Ex. 11, App’x 1(Aug. 1, 2024 Ltr.). Having demanded that SaveOn use such broad terms—requiring SaveOn to review an astronomical 1.2 million documents so far—J&J should not be heard to demand that it use only the narrowest possible terms when searching its own documents.

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SaveOn appreciates Your Honor's attention to this matter.

Respectfully submitted,

/s/ E. Evans Wohlforth, Jr.

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*Attorneys for Defendant Save On SP, LLC*

# Exhibit 10

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212.390.9000

39819



Meredith Nelson  
Associate  
212 390 9069  
mnelson@selendygay.com

February 6, 2023

**Via E-mail**

Harry Sandick  
Patterson Belknap Webb & Tyler LLP  
1133 Avenue of the Americas  
New York, NY 10036  
hsandick@pbwt.com

**Re: *Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC* (Case No. 2:22-cv-02632-JMV-CLW)**

Dear Harry,

We write to provide you with our proposed collection and search protocol, as previously discussed. We understand that Johnson & Johnson Health Care Systems Inc. will provide SaveOnSP with its proposed collection and search protocol, as the parties agreed.

**I. Date Range**

- January 1, 2017 through July 1, 2022

**II. Custodians**

- Jody Miller
- Claudia Dunbar
- Ron Krawcyzk
- Robert Saeli
- Nick Morrissey
- Jill Stearns

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- Florencio Calderon
- Jenna Ordonez
- Amanda Larsen
- Emily Reckinger
- Jenna Benkelman
- Dave Chelus
- Alissa Langley
- Melanie Jerred
- Danielle Wagner
- Michelle Tabone
- Michael Heinrichs

### **III. Locations**

#### **A. Custodial Files**

- SaveOnSP will collect from the following custodial sources:
  - The saveonsp.com email accounts of the custodians<sup>1</sup>
  - Any SaveOnSP electronic folders where the custodians may have saved ESI relevant to this litigation, including files saved locally on the custodians' SaveOnSP-issued laptops
  - Microsoft Teams messages and other messages sent using any Microsoft enterprise services
  - The custodians' hard-copy files, to the extent any such files exist

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<sup>1</sup> SaveOnSP intends to apply email threading to custodial emails that it collects and will review and produce only inclusive emails, as provided by the parties' ESI protocol. See ECF No. 63 at § III.C.

Harry Sandick  
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- Select custodians' mobile data, including text messages<sup>2</sup>

## B. Non-Custodial Files

- SaveOnSP will collect from any noncustodial locations that SaveOnSP identifies as likely to contain responsive, non-duplicative documents following a reasonable search. To date, we have identified the following locations:
  - Salesforce
  - SQL
  - Tableau
- We are also investigating if and how SaveOnSP might produce call center recordings. The majority of those records are stored as audio records with minimal metadata.

## IV. Search Terms for Custodial Documents

- Accredo W/15 transfer\*
- adherence W/5 trend\*
- (“Affordable Care Act” OR ACA) W/15 compl\*
- BALVERSA
- CarePath
- care W/2 path
- (chang\* or edit\*) W/25 website
- “DARZALEX FASPRO”

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<sup>2</sup> We currently plan to collect text messages and other mobile data for four custodians: Jody Miller, Claudia Dunbar, Ron Krawcyzk, and Rob Saeli. All other custodians have indicated that they did not use non-enterprise services on their mobile devices while engaging in work for SaveOnSP. We are still in the process of collecting these messages, and we reserve our right to modify the search terms for those messages.

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- DARZALEX
- email W/10 template
- ERLEADA
- ESI W/10 fees
- (essential or “non-essential”) W/10 benefits
- “<https://saveonsp.com>”
- IMBRUVICA
- J&J
- Janssen
- JJHCS
- “Johnson & Johnson”
- “Lash Group”
- “non-medical switching”
- “open enrollment”
- OPSUMIT
- (patient OR member) W/5 adherence
- REMICADE
- RYBREVANT
- SIMPONI
- STELARA
- structure\* W/4 (benefit\* OR “drug list\*”)
- “Summary of Benefits”
- “Summary Plan”

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- TRACLEER
- TREMFYA
- TrialCard OR “Trial Card”
- UPTRAVI
- ZYTIGA

We are available to meet and confer.

Sincerely,

/s/ Meredith Nelson

Meredith Nelson  
Associate

# Exhibit 11

Selendy|Gay

Meredith Nelson  
Associate  
212.390.9069  
mnelson@selendygay.com

August 1, 2024

CONFIDENTIAL

**Via E-mail**

Julia Long  
Patterson Belknap Webb & Tyler LLP  
1133 Avenue of the Americas  
New York, NY 10036

**Re: *Johnson & Johnson Health Care Systems Inc. v. Save On SP, LLC* (Case No. 2:22-cv-02632-JKS-CLW)**

Dear Julia,

We write in response to your July 25, 2024 letter regarding SaveOn's search parameters. You requested that SaveOn provide a full list of its search terms, including any date limitations, used to search SaveOn's custodial data. We have provided that list at Appendix 1.

Please provide the list of search terms J&J has run over its custodial files, including date ranges, by August 8.

Sincerely,

/s/ Meredith Nelson

Meredith Nelson  
Associate

**Appendix 1: SaveOn's Search Terms<sup>1</sup>****I. Standard Search Terms**

- **Custodians:** Alissa Langley, Amanda Larsen, Andrea Walker, Ayesha Zulqarnain, Brianna Reed, Claudia Dunbar, CPAQuestions@SaveOnSP.com, Danielle Wagner, Dave Chelus, Emily Reckinger, Florencio Calderon, Jenna Benkelman, Jenna Ordonez, Jennifer Menz, Jill Stearns, Jillian Vincheski, Jody Miller, Laura McClung, Mariah DuRant, Melanie Jerred, Michael Heinrichs, Michelle Tabone, Nick Morrissey, Nicole Haas, Rob Saeli, Ron Krawczyk, Sarah Kancar, Sarah Segerson, Ted Mighells.
- **Time Period:** April 1, 2016 – November 7, 2023
- **Search Terms:**
  - “Adapt” w/15 (copay\* OR co-pay\* OR OOP OR MOOP OR “out-of-pocket” OR “out of pocket” OR deductible\* OR DED OR co-ins\* OR coins\* OR “patient cost”\* OR “cost share” OR “patient obligation”\* OR “financial obligation”\* OR “final cost”)
  - "Affordable Care Act" OR ACA
  - (chang\*) w/10 (J&J OR JnJ OR Johnson OR Janssen OR Jannsen OR Jansen OR Jannsseen OR JJHCS OR JHCS OR JJHS OR HCS OR "CarePath" OR "JCP") w/20 (cost\*)
  - ((switch\* OR consider\*) w/10 (drug\* OR pharmaceutical\* OR medicine\* OR medication\* OR therap\*) w/20 (non-medical OR cheap\* OR pric\* OR expens\* OR profit\* OR revenue\*)) OR "switch card" OR "switch letter" OR (economic w/4 switching) OR "alternative treatments" OR (transition w/10 (class OR category))
  - (switch\* OR consider\*) w/10 ("copay assistance program" OR "copay assistance programs" OR CPA OR Abbvie OR Humira OR Amgen OR Enbrel OR J&J OR JnJ OR Johnson OR Janssen OR Jannsen OR Jansen OR Jannsseen OR JJHCS OR JHCS OR JJHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR "CarePath" OR "JCP") w/20 (nonmedical OR cheap\* OR pric\* OR expens\* OR profit\* OR revenue\*)

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<sup>1</sup> This list does not reflect a number of issues on which the parties are still negotiating, including but not limited to: communications from “Communications@SaveOnSP.com” and expanding the discovery time period for four custodians from August 1, 2015 to April 1, 2016.

- (switch\* OR chang\* OR consider\*) w/30 (cost\* w/5 (increase\* OR rise OR rising OR "go up"))
- "DARZALEX FASPRO" OR DARZALEX OR daratumumab OR hyaluronidase\*
- "@express-scripts.com"<sup>2</sup>
- "First View" AND (credit w/2 card)
- "First View" w/10 card
- "Intergovernmental Personnel Benefit Cooperative" OR IPBC OR (Rachel W/2 Harmon) OR rharmon@expressscripts.com OR ((presentation OR training OR video) W/5 (ESI OR "Express Scripts"))
- "Johnson & Johnson" OR "Johnson and Johnson"
- "Lash Group"
- "open enrollment" OR ((summar\* OR term) W/30 (program\* OR plan\* OR benefit\* OR coverage\* OR coinsurance OR deductible OR OOP OR "out-of-pocket"))
- "SaveOnSP Program Impacted"
- "Summary of Benefits"
- "Summary Plan"
- "zero cost share" OR "\$0 cost share"
- ("gift card" w/20 (enroll\* OR join\* OR use OR "sign up" OR regist\*)) w/50 (patient\* OR member\*)
- ("non-med\* switch\*" OR "nonmed\* switch\*" OR ((patient OR non-med\* OR nonmed\*) W/15 switch\*))
- ("transfer\*" OR reject\* OR POS OR "point of sale" OR step edit\*) W/15 pharm\*) OR "Error Code 73" OR ((drug\* OR med\* OR fill\*) W/15 (cover\*))
- ((essential or "non-essential" or nonessential) W/10 (benefit\*)) or EHB\* OR NEHB\*

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<sup>2</sup> For the time-period December 2015 through August 31, 2016.

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- ((patient\* OR chang\* OR mov\* OR switch\*) W/30 (new W/5 (drug\* OR med\* OR brand\*)))
- ((SaveOnSP OR SaveOn OR "Save On SP" OR "Save On" OR SOSP) w/15 ("Johnson & Johnson" OR "Johnson and Johnson" OR J&J OR JnJ OR JJHCS OR Janssen) w/5 (revenue OR sales OR profits OR "return on investment" OR "ROI")
- ("don't" OR "not" OR allowed OR never OR permit OR "can't" OR cannot) W/5 (mention OR disclose OR say OR inform\* OR divulge) W/15 (SaveOn OR SaveOnSP OR SOSP OR "Save On" OR manufacturer\* OR mfgr\* OR program)
- (Accredo OR "accredo.com") W/30 (agr\* OR contract OR memor\* OR fee\* OR shar\* OR relat\*)
- (adher\* OR complian\* OR comply\* OR discontinue\*) W/10 (trend\* OR rate\* or stat\*)
- (adherence W/5 trend\*)
- (avoid\* OR conceal\*) AND (co-insurance OR variable OR copay OR "co-pay")
- (Business w/15 plan) OR "Business plan"
- (chang\* or edit\*) W/25 website
- (copay\* OR co-pay\* OR coins\* OR co-ins\* OR "cost share" OR "specialty med\*" OR "specialty drug\*" OR biolog\* OR infus\*) W/15 (transfer\* OR reduc\* OR saving\*)
- (copay\* OR co-pay\* OR coins\* OR co-ins\* OR "cost share") W/15 (zero OR o OR \$o OR "no cost" OR "free of charge")
- (copay\* OR co-pay\* OR coins\* OR co-ins\* OR "out of pocket" OR OOP OR bucket\* OR "ingredient cost") W/30 (infla\* OR increase)
- (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) W/25 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi OR Novartis)
- (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) AND (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi OR Novartis)

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- (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/15 manufacturer\*
- (detect\* OR evade\* OR hide OR conceal\*) AND (co-insurance OR co-insurance OR variable)
- (ESI OR "Express Scripts" OR Evernorth) W/15 (fee\* OR (master W/2 agreement) OR assistance OR "savings card" OR "copay card" OR "co-pay card" OR enroll\* OR accumulat\* OR maximiz\*)
- (exhaust\* OR drain\* OR complain\*) W/15 (co-pay OR copay\* OR support\* or cover\*)
- (High Deductible Health Plan OR HDHP) w/30 (copay\* OR co-pay\* OR OOP OR MOOP OR "out-of-pocket" OR "out of pocket" OR deductible\* OR co-ins\* or coins\* OR "patient cost\*" OR "cost share" OR "patient obligation\*" OR "financial obligation\*" OR "final cost")
- (inc\* W/10 (save\* OR saving\*)) W/15 (manuf\* OR assist\*)
- (incl\* OR add\* OR remov\* OR Structure) W/10 (benefit\* OR "drug list\*")
- (increase\* OR raise\* or infla\*) w/30 (copay\* OR co-pay\* OR OOP OR MOOP OR "out-of-pocket" OR "out of pocket" OR deductible\* OR co-ins\* or coins\* OR "patient cost\*" OR "cost share" OR "patient obligation\*" OR "financial obligation\*" OR "final cost")
- (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi OR Novartis) w/25 (maximizer\* OR accumulator\* OR reduce\* OR modif\* OR change\*)
- (patient\* OR member\*) W/5 (adher\* OR complian\* OR comply\* OR discontinu\*)
- (reduc\* OR lower\* OR "as low as" OR decreas\* OR zero OR "no cost" OR "free of charge" OR "\$0") w/20 (copay\* OR co-pay\* OR OOP OR "out-of-pocket" OR "out of pocket" OR "patient cost\*" OR "final cost")
- (therap\* or drug\* OR medication) w/15 (adhere\* OR continu\* OR discontinu\*)
- (therap\* OR drug\* OR medication) w/15 (transition OR "same class" OR "same category")
- @notionpartners.com

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- Accredo W/15 (transfer\* OR assistance OR "savings card" OR "copay card" OR "co-pay card" OR enroll\* OR accumulat\* OR maximiz\*)
- analy\* OR "white paper\*" OR "research" OR report\* OR publication\* OR review\* OR article\* OR study OR studies W/15 "specialty med\*" OR "specialty drug\*" OR biolog\* OR infus\* or accumul\* OR maximizer\* OR copay\* OR co-pay\* OR coins\* OR co-ins\*
- avoid\* w/10 coinsurance
- BALVERSA OR erdafitinib
- benchmark\* W/10 (plan OR state OR EHB OR essential\* OR NEHB or non-essential\* OR non-essential\*)
- bi-weekly W/2 (call\* OR meeting\*)
- care W/2 path
- CarePath OR Carpath OR Carepth
- close\* W/15 (business OR customer\*)
- Cobicistat
- Darunavir
- EDURANT OR rilpivirine
- EJR AND emilyjreckinger@gmail.com
- email W/10 template
- Emtricitabine
- ERLEADA OR apalutamide
- ESI W/10 fees
- FirstView AND (credit w/2 card)
- FirstView w/10 card
- <https://saveonsp.com>
- <https://www.saveonsp.com>\* OR www.saveonsp.com\* OR "reduce this exorbitant cost" OR "we offer an innovative specialty solution" OR "is committed to making expensive medications more affordable

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for companies" OR "modifying their plan design" OR "how will our plan see savings generated"

- IMBRUVICA OR ibrutinib
- INTELENCE OR etravirine
- its.jnj.com
- J&J OR JnJ
- Janssen OR Jannsen OR Jansen OR Jannssen
- JJHCS OR JHCS OR JJCHS OR JJHS
- manufacturer\* W/10 (maximizer\* OR accumulator\*)
- non-med\* switch\* OR "nonmed\* switch\*" OR ((patient OR non-med\* OR nonmed\*) W/15 switch\*) OR "switch rationale" OR "switch card" OR "economic switch\*" OR ((force\* or mandate\*) w/5 switch\*)
- OPSUMIT OR macitentan
- Passthrough OR "pass through\*" OR "pass thru" OR passthru OR passthru
- PONVORY OR ponesimod
- Premera W/15 (article OR alert\* OR news\*)
- Prezcobix
- Project Recapture OR "Rescue Study" OR "adherence data"
- questex
- Reject\* w/2 73
- REMICADE OR infliximab
- RYBREVANT OR amivantamab\*
- SIMPONI OR "SIMPONI ARIA" OR golimumab
- STELARA OR ustekinumab
- strategic steering committee OR "steering committee" OR (strateg\* w/10 (monthly OR meet\*))

- strategy plan OR (strategy W/15 plan) OR "monthly plan" OR (monthly W/15 plan) OR "transition plan" OR (growth W/15 plan)
- structure\* W/4 (benefit\* OR "drug list\*")
- Symtuza
- Tenofovir Alafenamide
- TRACLEER OR bosentan
- TREMFYA OR guselkumab
- TrialCard OR "Trial Card"
- UPTRAVI OR selexipag
- Ventavis OR iloprost
- ZYTIGA OR abiraterone

## II. Washington Post Terms

- **Custodians:** Alissa Langley, Amanda Larsen, Andrea Walker, Ayesha Zulqarnain, Brianna Reed, Claudia Dunbar, Danielle Wagner, Dave Chelus, Emily Reckinger, Florencio Calderon, Jenna Benkelman, Jenna Ordonez, Jennifer Menz, Jill Stearns, Jillian Vincheski, Jody Miller, Laura McClung, Mariah DuRant, Melanie Jerred, Michael Heinrichs, Michelle Tabone, Nick Morrissey, Nicole Haas, Rob Saeli, Ron Krawczyk, Sarah Kancar, Sarah Segerson, Ted Mighells
- **Time Period:** August 1, 2022 – November 7, 2023
- **Term:**
  - ("Washington Post" OR "the Post" OR WaPo OR "WashPost" OR "washingtonpost.com" OR "Gurwitch") w/50 ("the company" OR SaveOnSP OR SaveOn OR "Save On SP" OR "SaveOn" OR SOSP OR "Express Scripts" OR ESI OR ExpressScripts)

## III. Melanie Jerred Terms

- **Custodian:** Melanie Jerred
- **Time Period:** July 1, 2022 – November 7, 2023
- **Terms:**

- (Premera AND (“drug list” OR list)) W/25 (Janssen OR JJHCS OR Erleada OR Simponi OR Stelara OR Tremfya OR Zytiga)
- (Premera AND (remove or change)) W/25 (Janssen OR JJHCS OR Erleada OR Simponi OR Stelara OR Tremfya OR Zytiga)

#### IV. Darcie Falsioni Terms

- **Custodian:** Darcie Falsioni
- **Time Period:** April 1, 2016 – November 7, 2023
- **Privilege Limitation:** Search exclusively over Darcie Falsioni’s communications with third parties.
- **Terms:**
  - (PHI OR BAA OR “business associate agreement” OR joinder OR “service agreement” OR contract OR amendment) w/20 (question\* OR concern\* OR hesitat\* OR explain\* OR guidance OR discuss\* OR deal\* OR partner\* OR negotiat\* OR sell OR sale\* OR sold OR pitch\* OR complain\* OR satisf\* OR challeng\* OR problem\* OR confus\* OR troubl\* OR comfor\*)
  - enrollment\* OR onboarding OR implement\*
  - “program design” OR “benefit design” OR “program update”
  - “drug list”
  - “Affordable Care Act” OR ACA OR ERISA OR “essential health benefit” OR EHB OR NEHB
  - accumulator OR maximizer
  - “regulation” W/5 (“state” or “copay”)
  - “exception pharmacy”
  - “fully insured” OR “self-funded” OR “qualified health plan” OR HSA OR “health savings account” OR “high deductible health plan” OR “HDHP”
  - “opt out” OR override OR monitor\*

#### V. Johnson & Leger Terms

- **Custodians:** Jessica Johnson & Kelsey Leger

Julia Long  
August 1, 2024

- **Time Period:** April 1, 2016 – November 7, 2023

- **Terms:**

- ((don't" OR "not" OR allowed OR never OR permit OR "can't" OR cannot) w/5 (mention OR disclose OR say OR inform\* OR divulge)) w/10 (SaveOn OR SaveOnSP OR SOSP OR "Save On" OR manufacturer\* OR mfgr\*)
- ((two OR 2) w/2 card) AND (solution OR Stelara OR Tremfya)
- (avoid\* OR conceal\*) w/50 (co-insurance OR variable OR copay OR "co-pay")
- (Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi) w/15 (reduce\* OR modif\* OR change\*)
- (counter\* OR strateg\* OR "course correct" OR "bypass" OR respon\* OR solution OR solv\*) w/15 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/25 (manufacturer OR mfgr\* OR Biogen OR Abbvie OR Amgen OR Vertex OR Exelixis OR Takeda OR Sanofi)
- (detect\* OR evade\* OR avoid\* OR hide OR conceal\*) w/15 manufacturer\*
- (detect\* OR evade\* OR hide OR conceal\*) AND (co-insurance OR co-insurance OR variable)
- (dummy OR fake OR false\* OR mock OR lie\* OR lying OR truth) w/25 enroll\*
- (FirstView OR "First View") AND (credit w/2 card)
- (FirstView OR "First View") w/10 card
- (lie\* OR liar\* OR lying OR fib\* OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy) w/20 (J&J OR JnJ OR Janssen OR Janssen OR Jannsen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR "CarePath" OR "JCP")
- manufacturer\* w/10 (maximizer\* OR accumulator\*)
- (call\* OR contract\* OR speak OR spoke OR talk\* OR phone\* OR chat\* OR (obtain\* w/2 info\*)) w/10 (J&J OR JNJ OR Janssen OR

Julia Long  
August 1, 2024

Jannsen OR Jannssen OR JJHCS OR JHCS OR JHS OR HCS OR CPA OR "copay assistance" OR "co-pay assistance" OR CarePath OR "JCP") AND ("lie" OR lied OR liar\* OR lying OR "fib" OR misrepresent\* OR fake\* OR fals\* OR "made-up" OR mock OR dummy)

- (manufacturer OR mfgr\*) w/15 (maximizer\* OR accumulator\* OR SaveOn OR SaveOnSP OR SOSP OR "Save On") w/30 (reduce\* OR modif\* OR chang\*)